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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,592	07/11/2001	William Holm	0104-0354P	7653
2292 7590 03/09/2009 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER NGUYEN, DONGHAID				
ART UNIT		PAPER NUMBER		
3729				
NOTIFICATION DATE		DELIVERY MODE		
03/09/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Advisory Action  
Before the Filing of an Appeal Brief**

<b>Application No.</b> 09/901,592	<b>Applicant(s)</b> HOLM ET AL.
<b>Examiner</b> DONGHAI D. NGUYEN	<b>Art Unit</b> 3729

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 11 February 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 5 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.  
NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.

6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_

13. ☐ Other: \_\_\_\_\_.

/Donghai D. Nguyen/  
Primary Examiner, Art Unit 3729

Continuation of 11, does NOT place the application in condition for allowance because: Applicants argue that "there is nothing in the disclosure of Todd et al. that teaches "non-contact dispensing" as in the presently claimed invention" (see "Remarks" pages 10-12 and the Declaration, 3rd item). The Examiner disagrees because Todd et al disclose a drop of adhesive is dispensed on the circuit board (see Col. 3, lines 13-17). The Examiner broadly reads the word "drop" as the quantity of fluid that falls in one spherical mass as defined by Merriam-Webster's Dictionary. Furthermore, the Examiner directs Applicants to Fig. 1 and Col. 9, lines 3-5 of the US Patent 5,364,011 to Baker et al (the Examiner will cite this prior art reference as an intrinsic evidence in the future Office Action) which discloses the non-contact dispensing of adhesive material same as disclosed by Todd et al (i.e. a drop of adhesive is dispensed means the droplet of adhesive is dropped as shown in Fig. 1).

Applicants argue that Osamu also fails to disclose "non-contact dispensing" (see "Remarks" page 11, last paragraph). The Examiner disagrees because Fig. 5 of Osamu reference shows the cream solder (24) does not contact the substrate (18) and the nozzle (12) at the same time. Applicants argue that "the droplet of solder 24 (in fig. 5) looks exactly like a solder droplet from a "contact" dispenser. The solder droplet 24 is a tear drop shape, which is formed due to contact with the solder dispenser 12 immediately after detaching from the solder dispenser" (see "Remarks" page 14, 1<sup>st</sup> paragraph). The Examiner disagrees and refers Applicants to Fig. 4 on page 4 of the article "the drawn on Micro-dispensing" that submitted by Applicants in the Declaration. Fig. 4 shows the droplet of solder having the tear drop shape when the needle tip far above the circuit board.

Applicants argue the Cutting et al. and Osamu fail to disclose the add-on jetting is predetermined amount of viscous medium (see "Remarks" pages 15-16). The Examiner disagrees because Cutting et al disclose adding any additional solder volumes required to the circuit board (see Col. 5, lines 12-21) and Osamu discloses correcting the amount of solder on the circuit board by supply the proper amount of required cream solder. These added/corrected amount of solder must be predetermined based on the predetermined amount of adhesive that must be presented at the bonding location so that the corrected amount of adhesive is added/supplied to the bonding location.

DN

March 2, 2009